

**MINUTES  
SARATOGA CITY COUNCIL  
SPECIAL MEETING  
SEPTEMBER 30, 2004**

Mayor Waltonsmith called the Council meeting to order at 5:45 p.m.

**ROLL CALL**

PRESENT: Councilmembers Stan Bogosian Norman Kline,  
Nick Streit, Vice Mayor Kathleen King, Mayor Ann  
Waltonsmith,

ABSENT: None

ALSO PRESENT: Dave Anderson, City Manager  
Lorie Tinfow, Assistant City Manager  
Cathleen Boyer, City Clerk  
Richard Taylor, City Attorney

**REPORT OF CITY CLERK ON POSTING OF AGENDA FOR SEPTEMBER 30,  
2004**

Cathleen Boyer, City Clerk, reported that pursuant to Government Code Section 54954.2, the agenda for the meeting of September 30, 2004 was properly posted on September 29, 2004.

**1. AUTHORIZATION OF ABSENCE**

**STAFF RECOMMENDATION:**

Authorize Council member absence from September 15, 2004 City Council meeting

Richard Taylor, City Attorney, stated that according to Government Code Section 36513 if a Councilmember is absent without permission from all regular City Council meetings for sixty (60) days consecutively from the last regular meeting he attends; his office becomes vacant and shall be filled as any other vacancy.

City Attorney Taylor noted that the August 4, 2004 was the last meeting Councilmember Bogosian attended. The next City Council meeting is October 6, 2004, which would be more than 60 days from the last meeting, he attended.

City Attorney Taylor stated that his recommendation was to excuse Councilmember Bogosian's absence from the September 15, 2004 City Council meeting.

Councilmember Kline recommended that the City Attorney amend the City Code to include policy on Council absences. Councilmember Kline noted that because the City has no set policy he would support the recommended action and excuse Councilmember Bogosian.

Councilmember Streit noted that he would not support the recommended action to excuse Councilmember Bogosian. Councilmember Streit noted that the citizens of Saratoga elect the Council who are then obligated to attend the meetings unless there is a death or illness in one's immediate family. Councilmember Streit stated that having to work is not an excuse he would support.

Vice Mayor King stated that she would not support the recommended action.

Councilmember Bogosian had no comments.

Mayor Waltonsmith stated that she would support excusing Councilmember Bogosian's absence tonight. Mayor Waltonsmith stated that she supports Councilmember Kline's request to direct the City Attorney to amend the code to include policy on Council absences.

**KLIN/BOGOSIAN MOVED TO APPROVE COUNCILMEMBER BOGOSIAN'S ABSENCE ON SEPTEMBER 15, 2004.** MOTION PASSED 3-2 WITH KING AND STREIT OPPOSING.

### **ADJOURNMENT**

There being no further business Mayor Waltonsmith adjourned the meeting at 5:57 p.m. and thanked everyone for attending the meeting.

Respectfully submitted,

Cathleen Boyer, CMC  
City Clerk